

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

OLIVIA Y., ET AL PLAINIFFS
VERSUS CIVIL ACTION NO. 3:04CV251LN
HALEY BARBOUR, as Governor of the
State of Mississippi, et al. DEFENDANTS

VIDEOTAPED DEPOSITION OF CHARLES RICKIE FELDER

Taken at the law offices of
Bradley, Arant, Rose & White, LLP,
188 East Capital Street
Jackson, Mississippi, on
Thursday, April 5, 2006,
beginning at 8:37 a.m.

REPORTED BY:

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1 money. You have to maximize that money.
 2 Sometimes you have to choose between the two.
 3 You could be forced with that situation.

4 Q. How so?

5 A. Again, they give you "X" amount of
 6 money, and if your retention is improving with
 7 staff and more and more are being able to take
 8 advantage of the career ladder, that is driving
 9 up your salary cost. And more funds may need to
 10 be used in career ladder which could increase
 11 the number of positions that are unfunded,
 12 vacant positions. You asked me what could be.
 13 These are just, you know, could be's.

14 Q. And as division director, as you sit
 15 here today, though, you'd like to see both the
 16 career ladder and additional -- and vacant and
 17 additional positions funded, correct?

18 A. Yes. I'd like to see the career
 19 ladder funded. Yes, I'd like to see vacancies
 20 funded. And then based on the assessment from
 21 Sue Steib and the weighted caseload model,
 22 whatever we determine additional resources we
 23 need, yes, I'd like to have it funded.

24 Q. Turning back to your draft plan at
 25 Exhibit 144, on page 9, under Section 2,

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1 "Staffing & Staff Development."

2 A. Uh-huh. (Affirmative.)

3 Q. Do you see your first sentence there,
 4 "Having a competent, well supported work force
 5 with a reasonable workload is an absolute
 6 prerequisite for the effective delivery of
 7 services to troubled children and families"?

8 A. Yes, I do.

9 Q. Now, correct me if I'm wrong, but I
 10 read that to mean that if you don't have a
 11 competent, well supported work force with a
 12 reasonable workload, there is a risk that needed
 13 services will not be delivered to troubled
 14 children and families; is that correct?

15 A. Yes. That's the message we're
 16 communicating to the legislature.

17 Q. As part of your assessment, did you
 18 determine whether there were any particular DFCS
 19 county offices that were performing poorly?

20 A. I determined some offices that needed
 21 attention.

22 Q. How did you determine that?

23 A. Based on the reports we discussed
 24 earlier, the results that they were getting
 25 based on objectives.

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1 Q. Have you determined whether there is
 2 any correlation between available staffing
 3 resources in any given county DFCS office and
 4 its ability to comply with policy and other
 5 requirements?

6 A. The first answer would be yes, there
 7 is -- in some counties, there could be some
 8 correlation for that, yes.

9 Q. Have you considered -- strike that.
 10 Are you considering any specific
 11 targeted remedial actions in any particular
 12 county DFCS office?

13 A. Yes.

14 Q. Could you tell me in what county what
 15 particular remedial actions you're considering?

16 A. Forrest County, we're currently
 17 negotiating a contract with the University of
 18 Southern Mississippi to -- Southern is located
 19 in Forrest County -- to create a learning lab at
 20 our office, and the university will turn it into
 21 a model -- will manage, assess, and develop a
 22 model, a child welfare model, in Mississippi.
 23 And our ultimate goal is that once that model is
 24 developed, that will be replicated throughout
 25 the state.

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1 Another area we are researching and
 2 discussions with -- we had to determine if it
 3 was a sole source or not, which that creates a
 4 more lengthy process -- but a temp service for
 5 social workers. They would be responsible for
 6 recruiting, verifying background, possibly
 7 providing the training to expedite the process,
 8 to fill existing positions, and/or if somebody
 9 puts in a notice to fill a position while we're
 10 recruiting for a new position.

11 We are in discussions -- no decision
 12 has been made -- of using this same temp service
 13 to help in some areas where we have fallen
 14 behind, to do a catchup. That's just a couple
 15 things off the top of my head. We're running --
 16 we have run -- tried national websites, haven't
 17 had much progress. We're constantly running ads
 18 in the paper. State personnel board is always
 19 posting positions for Family & Children's
 20 Services. The Family & Children's Services
 21 and/or the human resource departments attend
 22 fairs to try to recruit. We have new
 23 legislation this year that we think has just
 24 passed, the governor had a press conference on
 25 it --

32 (Pages 122 to 125)